

and "Antiseptic and Disinfectant * * * 15 to 20 drops in a Glassful of Water," whereas the strength of the article fell below such professed standard, in that it contained less alcohol than declared, and it was not antiseptic and disinfectant in the dilution recommended.

Misbranding was alleged for the reason that the following statements appearing in Spanish upon the bottle and carton and in the circular were false and misleading: (Bottle and carton) "Contains 40% Alcohol;" (circular) "Antiseptic and Disinfectant * * * 15 or 20 drops in a Glassful of Water. * * * Acts on the Germs That Continuously multiply themselves in the Mouth, Diminishing in this way their destructive action on the Dental Tissues." Misbranding was alleged for the further reason that the following statements appearing in Spanish on the bottle and carton label and in the circular, regarding the curative or therapeutic effects of the article, were false and fraudulent, since the said article contained no ingredient or combination of ingredients capable of producing the effects claimed: (Bottle) "For all Diseases of the Mouth * * * For Preventing Inflammations Rub The Gums Once a Week * * * Great Preventive Against Pyorrhoea Alveolaris Counter-Irritant for Inflammations of the Gums;" (carton) "For all Diseases of the Mouth and Respiratory Tract * * * For Preventing Inflammations, Rub the Gums Once * * * Great Preventive Against Pyorrhoea Alveolaris. Counter-Irritant for Inflammations of the Gums;" (circular) "Great Preventive against Pyorrhoea Alveolaris * * * Energetic Counter-Irritant Against Pericementitis * * * Scientific Preparation Against Inflammation of the Gums * * * Prevents the Formation of Caries * * * Efficacious Against * * * and Sick Gums."

On August 6, 1931, no claimant having appeared for the property, judgment of condemnation and forfeiture was entered, and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*

18750. Adulteration of ether. U. S. v. Ninety 1-Pound Cans of Ether. Default decree of condemnation and destruction. (F. & D. No. 26913. I. S. No. 29598. S. No. 5099.)

Samples of ether from the shipment herein described having been found to contain peroxide, the Secretary of Agriculture reported the matter to the United States attorney for the Western District of Pennsylvania.

On August 25, 1931, the United States attorney filed in the District Court of the United States for the district aforesaid a libel praying seizure and condemnation of ninety 1-pound cans of ether at Erie, Pa., alleging that the article had been shipped by the Mallinckrodt Chemical Works, from Jersey City, N. J., on or about August 4, 1931, and had been transported from the State of New Jersey into the State of Pennsylvania, and charging adulteration in violation of the food and drugs act. The article was labeled in part: "Ether for Anesthesia."

It was alleged in substance in the libel that the article was adulterated in that it was sold under a name recognized in the United States Pharmacopoeia, and differed from the standard of strength, quality, and purity as determined by tests laid down in the said pharmacopoeia, in that it contained peroxide, and its own standard was not stated on the label.

On September 29, 1931, no claimant having appeared for the property, judgment of condemnation was entered and it was ordered by the court that the product be destroyed by the United States marshal.

ARTHUR M. HYDE, *Secretary of Agriculture.*